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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,599	09/29/2003	Han-Gyu Ryu	1594.1230	8520

21171 7590 07/08/2005

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EXAMINER

VAN, QUANG T

ART UNIT PAPER NUMBER

3742

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,599

Applicant(s)

RYU, HAN-GYU

Examiner

Quang T. Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 6/10/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 and 24-26 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 and 27 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 12-20, 22, 23 and 28 is/are rejected.
- 7) ☒ Claim(s) 4 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 12-18, 20 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Edamura (US 5,274,209). Edamura discloses a microwave oven comprising a control unit (col. 5, lines 9-10) having an internal storage unit (col. 5, line 12) to store cooking data and/or operational data required to perform one or more existing cooking modes (col. 2, lines 45-60); and an external storage unit (col. 2, lines 41-43) arranged independently from the control unit and electrically connected to the control unit to communicate with the control unit, the external storage unit (col. 5, lines 35-37) storing cooking data and/or operational data required to perform one or more new cooking modes (col. 5, lines 20-28).

3. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirata et al (US 6,097,016). Hirata discloses a cooking apparatus having display unit and item selection unit comprising a control unit (81) having an internal storage unit (81a) to store cooking data and/or operational data required to perform one or more existing cooking modes (col. 4, lines 13-16); and an external storage unit (87) arranged independently from the control unit and electrically connected to the control unit to communicate with the control unit (81), the external storage unit (87) storing cooking data and/or operational data required to perform one or more new cooking modes (col.

4, lines 43-45). With regard to claim 2, Hirata discloses a touch panel (3) displaying a cooking data including an initial value for heating temperature and initial value for heating time (col. 10, lines 24-32). It is inherent that a predetermined output value of magnetron is provided in order to heat the temperature of the object to the initial value of heating temperature.

4. Claims 1-3, 12-20 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Edamura (US 4,841,125) cited by applicant. Edamura discloses a control unit for a heating system with memory means comprising a control unit (col. 3, lines 4-5) having an internal storage unit to store cooking data and/or operational data required to perform one or more existing cooking modes (col. 3, lines 7-11); and an external storage unit arranged independently from the control unit and electrically connected to the control unit to communicate with the control unit, the external storage unit storing cooking data and/or operational data required to perform one or more new cooking modes (col. 3, lines 19-25). With regard to claims 2 and 19, Edamura discloses a cooking data including a main ingredient, a predetermined heating time and method of heating (col. 3, lines 27-35). It is inherent that a predetermined output value of magnetron is included in order to provide heat to the object the object with the predetermined heating time.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3742

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edamura (US 5,274,209) or Hirata et al (US 6,097,016) or Edamura (US 4,841,125), in view of Demaline (US 5,968,393). Edamura'209/ Hirata'016/ Edamura'125 discloses substantially all features of the claimed invention except said external storage unit comprising a non-volatile device. Demaline discloses an external storage unit comprising a non-volatile device (col. 6, lines 35-39). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in, Edamura'209/ Hirata'016/ Edamura'125, an external storage unit comprising a non-volatile device as taught by Demaline in order to support rewriting of data if necessary.
7. Claims 4 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Claims 11 and 27 are allowed.
9. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest the data storage configuration comprising a first field to store application status information of the external storage unit; a second storage field to store application status information of the one or more existing cooking modes; a third storage field to store the cooking data of the one or more new cooking modes and a fourth storage field to store operational data of the one or more new cooking modes as recited in claims 4, 11, 21 and 27.

Response to Amendment

10. Applicant's arguments filed 6/10/2005 have been fully considered but they are not persuasive.

Applicants argue Edamura'209 does not disclose "the external storage unit is arranged independently from the control unit" recited in REMARKS, page 10, lines 18-21, and Edamura'209 does not disclose "the external storage unit is separate from the control unit" recited in REMARKS, page 11, lines 2-5, and also does not disclose "the external storage unit is separate from the controller" recited in REMARKS, page 11, lines 10-13. The Examiner disagrees. Edamura'209 discloses memory modules (156a, 156b in Figures 8-9) are arranged independent from the control unit (or separate from the control unit, or separate from the controller) and electrically connected to the control unit when attached to the control device through attachment 157. For broadest reasonable interpretation, memory modules (156a, 156b) arrangement in Figures 8-9 are read on arranged independent from the control unit (or separate from the control unit, or separate from the controller) before electrically connected to the control unit and therefore, Edamura'209 meet the claimed limitations.

Applicants argue Hirata does not disclose "an external storage unit storing cooking data to perform new cooking modes" recited in REMARKS, page 12, line 1 and "The external storage unit recited in claim 1 is for new cooking modes" recited in REMARKS, page 12, lines 3-4. The Examiner disagrees. The term "and/or operational data required to perform one or more new cooking modes" recited in claim 1, which is

Art Unit: 3742

optional limitations and does not require in the claim. Hirata discloses the external storage unit storing cooking data and therefore, still meet the claimed limitations.

Applicants argue Edamura'125 does not disclose "the external storage unit is arranged independently from the control unit" recited in REMARKS, page 12, lines 21-23, and Edamura'125 does not disclose "the external storage unit is separate from the control unit" recited in REMARKS, page 13, lines 6-7, and also does not disclose "the external storage unit is separate from the controller" recited in REMARKS, page 13, lines 13-16. The Examiner disagrees. Edamura'125 discloses memory modules (56a, 56b in Figures 2-3) are arranged independent from the control unit (or separate from the control unit, or separate from the controller) and electrically connected to the control unit when attached to the control device through attachment 57. For broadest reasonable interpretation, memory modules (56a, 56b) arrangement in Figures 2-3 are read on arranged independent from the control unit (or separate from the control unit, or separate from the controller) before electrically connected to the control unit and therefore, Edamura'125 meet the claimed limitations.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3742

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T. Van whose telephone number is 571-272-4789. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV
June 28, 2005



Quang T Van
Primary Examiner
Art Unit 3742